

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES EARL TALLEY,

Defendant.

Case No. [22-cr-00028-SI-1](#)

**SCHEDULING ORDER AND ORDER
EXCLUDING TIME**

On August 8, 2022, the Court held a status conference in this case. During the conference, counsel for the government stated that the government was insisting on proceeding with a jury trial, rather than stipulated-testimony bench trial (or a conditional plea pursuant to Fed. R. Civ. Proc. 11(a)(2)), because the government wished to develop a fuller factual record for defendant's anticipated appeal of the denial of the motion to suppress. In response, defense counsel proposed that the Court hold the evidentiary hearing that defendant had requested in connection with the motion to suppress and that the Court reconsider its ruling denying the motion to suppress. The Court agreed with defendant's proposal and scheduled an evidentiary hearing for 10:00 am on August 22, 2022.

In light of the Court's reconsideration of defendant's motion to suppress and scheduling of an evidentiary hearing on the motion, the Court finds it appropriate to exclude time from August 8, 2022 until such time as the Court issues a further order on the motion to suppress. *See* 18 U.S.C. § 3161(h)(1)(D).

IT IS SO ORDERED.

Dated: August 8, 2022



SUSAN ILLSTON
United States District Judge